

Mr. Richardson
PLM II

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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-195651

DATE: July 14, 1980

MATTER OF: Larry A. Clendinen

DIGEST: Transferred employee claims miscellaneous expenses for taking down and reinstalling "ham" radio antenna and hooking up icemaker and dishwasher. Employee is entitled to be reimbursed these expenses under para. 2-3.1b(1) of the Federal Travel Regulations which specifies reimbursement of fees for disconnecting and connecting appliances and equipment. Employee may not be reimbursed for replacing certain incidental parts needed to reinstall antenna.

The question is whether a transferred employee may be reimbursed the actual costs of disassembling and reinstalling a "ham" operator's shortwave radio antenna and hooking up a dishwasher and icemaker incident to a permanent change of duty station. As will be explained, the employee may be reimbursed his actual costs except for certain incidental replacement parts used in reinstalling the antenna.

The question was submitted for an advance decision by Marie A. Bell, Authorized Certifying Officer, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C., and concerns the claim of Larry A. Clendinen, an employee of the Bureau of Alcohol, Tobacco and Firearms.

Mr. Clendinen was transferred from San Diego, California, to Dayton, Ohio, and claimed miscellaneous expenses in connection with the transfer. The miscellaneous expenses were \$135 to take down a ham radio antenna, \$420.28 to reinstall the ham radio antenna, and \$47.50 to install a dishwasher and icemaker.

The agency reviewed the claimed miscellaneous expenses and determined that the expenses for the antenna were not reimbursable. The agency based its denial on the Federal Travel Regulations (FTR), paras. 2-3.1b and 2-3.1c(13) (FPMR 101-7, May 1973). Specifically, the agency ruled

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that para. 2-3.1b precluded payment because the expense was not one "common to living quarters" nor "inherent in relocation of place of residence" while para. 2-3.1c(13) precluded payment because the cost was incurred "in connection with structural alteration to accommodate equipment."

Rather than consider the other claimed expenses, the agency gave the claimant a \$200 allowance for miscellaneous expenses under FTR, para. 2-3.3a(2). This paragraph specifies that employees with immediate family who are authorized miscellaneous expenses shall be paid \$200 or 2 weeks' base pay whichever is less.

The claimant has filed a reclaim voucher seeking the disallowed \$402.78 under FTR, para. 2-3.3b which allows an agency to pay in excess of the \$200 limit in para. 2-3.3a(2) if the employee satisfactorily explains the costs and provides paid bills or similar evidence. Basically, the explanation of the employee as to why he should be reimbursed his costs is that the use of the radio equipment of the type he has is today so widespread as to be common to households in the United States and therefore costs associated with disconnecting and connecting the equipment are expressly allowed under FTR, para. 2-3.1b(1). Also, he states that there was no structural alteration and therefore the agency's reliance on FTR, para. 2-3.1c(13) was misplaced.

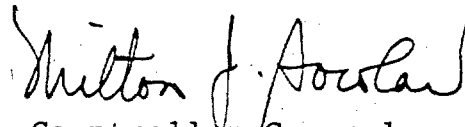
The expenses of taking down and reinstalling the ham radio antenna are reimbursable. This conclusion is consistent with our decision in Henry L. Dupray, B-191724, March 29, 1979, wherein we allowed the expenses of dismantling and installing a transferred employee's swimming pool under the authority of para. 2-3.1b of the FTR. Mr. Clendinen, however, may not be reimbursed for certain incidental replacement parts of the antenna which he purchased because they were not salvageable when the antenna was taken down (e.g., chimney straps and wire connectors), FTR, paras. 2-3.3c(5) and (13); see Henry L. Dupray, B-191724, March 29, 1979. Therefore, the claimant is entitled to the \$135 for taking down the antenna and \$305.18 (\$420.28 less \$115.10 for the replacement parts) for reinstalling it.

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In reaching the above conclusion, we are cognizant of the fact that the agency determined the expenses of the antenna unreimbursable because they were not common to living quarters nor inherent in relocation of residence and they involved structural changes. We believe, however, that the agency standard for assessing commonness to living quarters was too strict. As discussed, we have held swimming pools to constitute items of equipment for which miscellaneous expenses may be reimbursed, and we consider ham radio equipment to be of a similar nature in terms of its incidence within ordinary households. Furthermore, we have previously allowed reimbursement of the expenses of hooking up an antenna (B-174542, February 25, 1972) and modifying a ham radio license for transferred employees (B-163107, May 18, 1973). Those decisions tacitly recognized that antenna expenses and ham radio expenses are not uncommon to living quarters and are inherent in relocation of a residence in which the resident is a ham operator. Finally, while the antenna may have been attached to the residences, taking it down and reinstalling it does not appear to have involved structural changes to the residences themselves.

Regarding the \$47.50 expense for labor involved in hooking up the dishwasher and icemaker, this is reimbursable. Irwin Kaplan, B-190815, March 27, 1978 (dishwasher); compare Walter V. Smith, B-186435, February 23, 1979, (icemaker).

Accordingly, Mr. Clendinen is entitled to receive miscellaneous expenses of \$487.68 less the \$200 he has already received.



For the Comptroller General
of the United States